

*See Ao 2010-82CSJ*

ANCHORAGE, ALASKA  
AO NO. 2010-82

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING  
2 PROVISIONS OF ANCHORAGE MUNICIPAL CODE CHAPTER 3.30, PERSONNEL  
3 RULE 17, GOVERNING COMPENSATION AND PAID LEAVE FOR EXECUTIVE  
4 EMPLOYEES.

---

5  
6 THE ANCHORAGE ASSEMBLY ORDAINS:

7  
8 **Section 1.** Anchorage Municipal Code section 3.30.174, Compensation, is hereby  
9 amended to read as follows (*language indicating no amendment is included for context*  
10 *only; other unaffected subsections are not set out*):

11  
12 **3.30.174 Compensation.**

13  
14 Employees appointed to executive positions shall be compensated in accordance  
15 with Sections 3.30.121 through 3.30.1212. Annual leave accrual shall be in  
16 accordance with 3.30.152. The grant of leave beyond the rates of accrual  
17 authorized in AMC 3.30.152 is prohibited.

18  
19 A. *Pay ranges.* Pay ranges for executive employees shall be established by the  
20 assembly. The mayor or responsible official of the appointing authority shall  
21 determine all aspects of pay, wages, hours, demotion, separation, and all  
22 other terms and conditions of employment for executive employees.

23  
24 B. *Pay levels.* Executive positions are assigned to an executive pay level based  
25 on the relative responsibility of the position. These pay levels do not consist  
26 of pay steps. The pay level of newly hired executives should not normally  
27 exceed the midpoint of the applicable pay range. The pay level of an  
28 employee promoted or reclassified from a classified position shall be  
29 determined by the mayor at time of promotion or reclassification. Should the  
30 rate assigned an executive employee exceed the maximum or be less than  
31 the minimum of the range in which his position is placed, the mayor shall  
32 obtain prior approval from the assembly. Pay levels for regular part-time  
33 executive employees shall be on a pro rata basis as a percentage of  
34 annualized regular full-time salary for the position assigned.

35 \*\*\*

\*\*\*

\*\*\*

36 E. *Reduction.* Where the mayor or responsible official has determined that the  
37 rate of pay or additional compensation in the form of leave assigned to an  
38 executive employee is not authorized under applicable code or is otherwise  
39 inappropriate for any reason, the employee's rate of pay or additional leave

1 may be reduced to a lower level upon two weeks' advance notice. Should the  
2 rate of pay assigned be lower than the minimum of the range for that  
3 position, the mayor or the responsible official shall obtain prior approval from  
4 the assembly. Such reduced compensation may later be increased subject to  
5 applicable code at any time that the mayor or the responsible official  
6 determines it may be appropriate.

- 7  
8 F. *Bonuses and special merit awards.* Bonuses and special merit awards are  
9 not available to executive employees. The grant of leave beyond the rates of  
10 accrual authorized in AMC 3.30.152 is prohibited.

11 \*\*\* \*\*\* \*\*\*

- 12  
13  
14 H. *Reports to assembly.*

- 15  
16 1. Quarterly the mayor will report the names and annual salary of each  
17 executive hired in the previous quarter. Once annually the mayor will  
18 report total remuneration of each municipal executive to the assembly.  
19  
20 2. Where the mayor or responsible official of the appointing authority  
21 intends to exercise[S] discretionary authority to provide special  
22 compensation (inclusive of all benefits including compensatory time)  
23 to an executive employee which would not be permitted a  
24 nonexecutive employee under Chapter 3.30, this action shall be  
25 reported in a public document to the assembly with[IN] 30 days prior  
26 notice in advance of the first action providing for the special  
27 compensation.

- 28  
29 I. *Range structure adjustments.* Range structure adjustments to the minimum  
30 and maximum base annual rate of the executive pay levels shall be made to  
31 the executive pay plan by ordinance in the same percentages as and  
32 concurrent with those to the nonrepresented pay plan. As adjusted, the  
33 minimum and maximum base annual rates for each executive range  
34 classification shall be revised and published under subsection C of this  
35 section.

36  
37 (AO No. 79-195; AO No. 86-207(S-1); AO No. 87-137(S); AO No. 88-51; AO No. 91-96;  
38 AO No. 97-53, § 1, 5-6-97; AO No. 97-103, § 3, 7-1-97; AO No. 2009-84, § 1, 7-7-09)

39  
40 **Section 2.** Anchorage Municipal Code section 3.30.175, Overtime, is hereby amended  
41 to read as follows (*subsections not amended are not set out*):

42  
43 **3.30.175 Overtime.**

- 44  
45 A. *Compensatory time off.*  
46

1           1.     Executive exempt employees are not entitled to overtime  
2           compensation; however, as a result of extraordinary conditions which  
3           involve long hours of overtime by the executive, the mayor or  
4           responsible official may, at his discretion, grant such compensatory  
5           time off as he deems appropriate. The discretion to grant  
6           compensatory time off does not extend to granting leave beyond the  
7           rates of accrual authorized in AMC 3.30.152.  
8

9                           \*\*\*                           \*\*\*                           \*\*\*

10           (AO No. 79-195; AO No. 86-207(S-1); AO No. 87-137(S); AO No. 96-55, § 3, 4-2-96; AO  
11           No. 2009-84, § 1, 7-7-09)

12  
13           **Section 3.** Anchorage Municipal Code section 3.30.177, Exceptions to rules; authority of  
14           mayor or other responsible official, is hereby amended to read as follows:

15  
16                   **3.30.177 Exceptions to rules; authority of mayor or other responsible official.**

17  
18           A.     The requirements of Sections 3.30.170 through 3.30.179 [8] apply fully to all  
19           executive employees [AND ARE THE ONLY RULES WHICH APPLY TO  
20           EXECUTIVE EMPLOYEES EXCEPT AS OTHERWISE PROVIDED BY THE  
21           MAYOR OR RESPONSIBLE OFFICIAL AS PROVIDED IN THIS CHAPTER].  
22

23           B.     Except as specifically stated in this Rule 17, executive employees do not  
24           have a right to a grievance procedure or appeal regarding the application or  
25           alleged violation or misapplication of the rules herein.  
26

27           (AO No. 79-195; AO No. 86-207(S-1); AO No. 87-137(S); AO No. 2009-84, § 1, 7-7-09)

28  
29           **Section 4.** This ordinance shall become effective immediately upon its passage and  
30           approval by the Assembly.

31  
32                   PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of  
33           \_\_\_\_\_, 2010.

34  
35  
36  
37                   \_\_\_\_\_

Chair

38  
39           ATTEST:

40  
41  
42  
43           \_\_\_\_\_

Municipal Clerk



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 576-2010

**Meeting Date:** October 26, 2010

1 **From:** Assembly Chair Traini

2 **Subject:** AO 2010-82 — AN ORDINANCE OF THE ANCHORAGE MUNICIPAL  
3 ASSEMBLY AMENDING PROVISIONS OF ANCHORAGE MUNICIPAL  
4 CODE CHAPTER 3.30, PERSONNEL RULE 17, GOVERNING  
5 COMPENSATION AND PAID LEAVE FOR EXECUTIVE EMPLOYEES.  
6

7 Anchorage Municipal Code Sections 3.30.121 through 3.30.1212 govern the administration  
8 and maintenance of classification plans, including the classification plan for executive  
9 employees. Under 3.30.023, each classification plan is required to be set forth by separate  
10 ordinance. Executive positions are classified and compensated under Personnel Rule 17,  
11 codified in AMC Sections 3.30.171 through 3.30.179.  
12

13 As set out in current code, these principles apply:

- 14 • The pay rate determined for a position under AMC chapter 3.30 is intended to  
15 represent the total remuneration for a municipal employee, except for reimbursement  
16 for approved expenses. AMC 3.30.1212
- 17 • This limitation applies to employees appointed to executive positions. AMC 3.30.174
- 18 • Executive exempt employees are not entitled to overtime compensation, but in the  
19 case of extraordinary conditions involving long hours, the mayor or responsible official  
20 has discretion to grant compensatory time off. AMC 3.30.175 A.1
- 21 • Compensatory time off is not synonymous with annual accrual of non cashable leave.
- 22 • Pay ranges for executive employees are established by the assembly, and prior  
23 approval from the assembly is required for the assignment of an executive pay rate  
24 outside the pay range established under Personnel Rule 17. AMC 3.30.174 A.--B
- 25 • When an executive employee is provided special compensation (inclusive of all  
26 benefits including compensatory time) beyond that permitted for a nonexecutive  
27 employee, there is a reporting requirement under AMC 3.30.174 H.2.
- 28 • The minimum and maximum rates for each executive classification range are subject  
29 to range adjustments concurrent with the non-represented pay plan. The minimum  
30 and maximum rates in AMC 3.30.174C do not reflect current executive employee wage  
31 rates, and true current wage rates for each executive range should be published.  
32

33 The grant of additional leave hours beyond the leave accrual rates provided in code adds to  
34 the executive compensation package beyond the pay rate determined under AMC chapter  
35 3.30. The purpose of the proposed ordinance is to correct certain anomalies and provide  
36 clarification to prohibit the granting of executive leave as additional compensation, above  
37 and beyond the pay rates authorized in code and the current limits of Personnel Rule 15  
38 (AMC Sections 3.30.151 through 3.30.1515).  
39

40 Respectfully submitted:

41  
42 Dick Traini, Assembly Member Section 4